

In the United States District Court  
For the Northern District Of Illinois  
Eastern Division

David Morales,

Plaintiff,

v.

Mangia Fresca, Inc., and Paul  
Impallaria,

Defendants.

15-cv-05989  
Judge John J. Tharp, Jr.  
Magistrate Judge Susan E. Cox

**Order Approving Settlement and Dismissing Case**

The Court having considered “Defendants’ Motion for Approval of Settlement Agreement” (“Motion”) and having reviewed the parties Settlement Agreement signed by all parties, it is ordered:

1. The Court approves the Settlement Agreement as a fair and reasonable settlement of a bona fide dispute under the Fair Labor Standards Act (as well as under the Illinois Minimum Wage Law, and Illinois Wage Payment and Collection Act). As reflected in the Motion, the Settlement Agreement affords the two plaintiffs full compensation for their claimed unpaid overtime hours.<sup>1</sup>

2. In accordance with the Settlement Agreement, the case is dismissed without prejudice effective January 5, 2016, after defendants’ first installment is paid, and with prejudice effective December 6, 2016, which is 21 days after defendants’ last installment payment. The conversion to a dismissal with prejudice will be effective without further action by the Court.

The dismissal is without costs.

Entered December 16, 2015

  
John J. Tharp, Jr.

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<sup>1</sup> Because the Motion reflects the key term of the Settlement Agreement, namely full compensation of claimed unpaid overtime to the plaintiffs, the Court finds that the Agreement itself need not be made part of the record.

United States District Judge